

Service Date: April 3, 2000

FINAL ORDER NO. 6476

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF Duane Murray dba) Docket No. T-00.3.PCN
Country Home, Malta, Montana,) Order No. 6476
Application for a Montana Intrastate)
Certificate of Public Convenience and)
Necessity.)

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On , December 21, 1999 , Duane Murray dba Country Home, Malta, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B – Non-emergency medical passengers between all points and places in the State of Montana. LIMITATION: All transportation movements must originate or terminate in Phillips County, Montana.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public January 6, 2000. That notice said in pertinent part:

If no written protests are received by January 26, 2000, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protest was filed by A-1 Ambulance, Inc., Butte, Montana.
4. The protest was withdrawn.
5. The application was re-noticed on March 7, 2000 to correct a clerical error that occurred in the original notice of January 6, 2000. That January 6, 2000 incorrectly stated the application being for patients rather than passengers. Last date for protest was March 27, 2000. No protests were received.
6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Monday, the 3rd day of April, 2000, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-00.3.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Duane Murray dba Country Home, Malta, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B – Non-emergency medical passengers between all points and places in the State of Montana. LIMITATION: All transportation movements must originate or terminate in Phillips County, Montana.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 3rd day of April, 2000 by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

DAVE FISHER, Chairman

NANCY McCaffree, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.